Attorney's Docket No.: 02894-717US1 / 06732

Applicant: Karl Herzog et al Serial No.: 10/540,320 Filed: June 21, 2005

Page : 8 of 12

## REMARKS

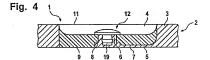
In response to the office action mailed April 1, 2008, claims 1, 16, 20, 21, and 29 were amended and claims 39 and 40 added. Claims 2 and 5 were previously canceled. Claims 1, 3, 4, and 6-40 are presented for examination.

Applicants thank the Examiner for acknowledging that claims 3, 6, 11, 17, 24-26, and 36 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 16, 20, and 21 were objected to as being dependent on cancelled claim 2. In view of the amendments to claims 16, 20, and 21, Applicants respectfully request reconsideration and withdrawal of the objection to these claims.

Referring to Fig. 4 of Applicants' application, which is reproduced below, an embodiment of Applicants' housing includes a housing body 2 having in its wall 3 an aperture 4 and a bar 5 having a free end extending into the aperture 4. See, e.g., U.S. 2006/0060461, ¶¶ [0041]-[0043]. The housing further includes a base 6, a membrane 9, and an actuating button 12. See, e.g., id., ¶¶ [0041]-[0045]. The base 6 is secured to the bar 5, and the actuating button 12 is fastened to the base 6. See, e.g., id., ¶¶ [0042], [0045]. The membrane 9 is bonded to the base 6 and seals the aperture 4. See, e.g., id., ¶[0044].

In some embodiments, bar 5 is an elastic bar. See, e.g., id., ¶ [0007]. Such an elastic bar can make it easier to position the base 6 in the aperture 4. See, e.g., id. Additionally or alternatively, such an elastic bar can support the membrane 9 to reduce the formation of creases in the membrane or to limit the amount of yielding of the membrane. See, e.g., id.



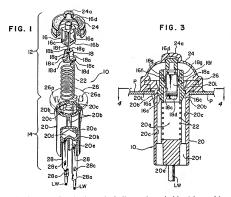
Attorney's Docket No.: 02894-717US1 / 06732

Applicant : Karl Herzog et al Serial No. : 10/540,320 Filed : June 21, 2005 Page : 9 of 12

Claims 1, 4, 7-10, 12-16, 18-21, and 27-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takano et al. (US 5,382,767) in view of Katsumi (US 6,369,341). But Takano and Katsumi, taken alone and in any proper combination, fail to disclose or render obvious an electrical appliance housing including at least one <u>elastic</u> bar <u>securing</u> a base to a housing body, as required by claims 1, 4, 7-10, 12-16, 18-21, and 27-31.

As shown in Takano's Figs. 1 and 4 below, Takano describes a push-button assembly 12 that includes a push-button member 16 which carries a slide contact member 18 within an interior space 20a defined by an insulating housing 20. See, e.g., Takano, col. 3, lines 50-58. The push-button member 16 includes guide flanges 16c on opposed sidewalls of the push-button member 16. See, e.g., id., col. 4, lines 16-22. Takano discloses that contact between his guide flanges 16c and stops 20i prevent his guide flanges 16c from traveling upward beyond his stops 20i. See, e.g., id., col. 5, lines 43-52. Contrary to the Examiner's contention, there is no indication that Takano's guide flanges 16c are elastic. Moreover, such elasticity would render Takano's guide flanges 16c less suited for their intended function of establishing the extended position of the push-button assembly 12. See, e.g., id., col. 5, lines 49-52. Takano also discloses that his guide flanges 16c move relative to his housing 20 as his push-button member 16 moves reciprocally between extended and retracted positions. See, e.g., id., col. 4, lines 24-29. Accordingly, in further contradiction to the Examiner's contention, Takano's guide flanges 16c do not secure a base to a housing body. Furthermore, a person of ordinary skill in the art would not have modified Takano's guide flanges 16c to include an elastic bar securing a base to a housing body at least because such a modification would change the fundamental operation of Takano's push-button switch.

Applicant : Karl Herzog et al Serial No. : 10/540,320 Filed : June 21, 2005 Page : 10 of 12



Katsumi discloses an electric shaver including an inner holder 2 housed in a fixed position inside of a case 1. See, e.g., Katsumi, col. 3, lines 27-34. The inner holder 2 is a single piece formed entirely of plastic. See, e.g., id., col. 6, lines 57-58. The inner holder 2 holds an electronic parts attachment board 5, a motor 4, and batteries 3 in place. See, e.g., id. The inner holder 2 includes retaining clips 2A projecting from both sides of an attachment surface that flexibly hold the electronics board 5 in place. See, e.g., id., col. 6, lines 60-63. An upper region of the inner holder 2 includes a horizontal rib 2B that holds the motor 4 in a fixed position. See, e.g., id., col. 7, lines 12-13. The inner holder 2 includes retaining tubes 8 formed of a single piece of plastic for insertion of the batteries 3. See, e.g., id., col. 7, lines 5-7. Upper ends of side walls 2D of the inner holder 2 serve as housings 2E for connection of an inner blade 6 vibrating plate 14. See, e.g., id., col. 7, lines 17-20. Katsumi fails to disclose or render obvious an elastic bar, much less an elastic bar that secures his inner holder 2 to his case 1.

In view of the foregoing, Takano and Katsumi, taken alone and in any proper combination, fail to disclose or render obvious each and every limitation of claims 1, 4, 7-10, 12-16, 18-21, and 27-31. Therefore, Applicants request reconsideration and withdrawal of the

Applicant : Karl Herzog et al Serial No. : 10/540,320 Filed : June 21, 2005 Page : 11 of 12

rejection of claims 1, 4, 7-10, 12-16, 18-21, and 27-31 as being unpatentable over Takano in view of Katsumi.

Claims 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takano in view of Katsumi further in view of Buchan et al. (US 6,064,019). But Buchan fails to cure the deficiencies discussed above with respect to Takano and Katsumi. Thus, for at least the reasons discussed above. Applicants request reconsideration and withdrawal of this rejection.

Claims 32-35, 37, and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hochgesang et al. (US 5,642,950) in view of Katsumi. But Hochgesang and Katsumi, taken alone and in any proper combination, fail to disclose or render obvious an electrical appliance housing including a hard plastic base bonded to a soft plastic membrane, as required by claims 32-35, 37, and 38.

As shown in Hochgesang's FIG. 1 reproduced below, Hochgesang discloses a keyboard including a housing 1, a contact mat 2, a key guidance frame 3, and keys 4. See, e.g., Hochgesang, col. 2, lines 3-6. The keys 4 are covered by a protective foil 6 having dome-shaped vaults 8 extending upwardly from a foil floor 7. See, e.g., id., col. 2, lines 10-13. "[T]he keys 4, the protective foil vaults 8 and the replaceable caps 9 have truncated pyramidal cross sections 10 with corresponding measurements and slopes, or rises, so that they are wedged together in interengagement." Id., col. 2, lines 16-20 (emphasis added). Thus, Hochgesang does not disclose or render obvious a hard plastic base bonded to a membrane.

As discussed above with respect to claim 1, Katsumi discloses that his inner holder 2 is a single piece formed entirely of plastic and holds an electronic parts attachment board 5, a motor 4, and batteries 3 in place. As further discussed above with respect to claim 1, Katsumi discloses that his inner holder 2 connects to an inner blade vibrating plate 14. None of the connections to Katsumi's inner holder 2 include a bond. Thus, Katsumi fails to disclose or render obvious a hard plastic base bonded to another portion of an electrical housing, much less a hard plastic base bonded to a soft plastic membrane.

In view of the foregoing, Hochgesang and Katsumi, taken alone and in any proper combination, fail to disclose or render obvious each and every limitation of claims 32-35, 37, and Applicant: Karl Herzog et al Attorney's Docket No.: 02894-717US1 / 06732

Serial No. : 10/540,320 Filed : June 21, 2005 Page : 12 of 12

38. Therefore, Applicants request reconsideration and withdrawal of the rejection of these claims as being unpatentable over Hochgesang in view of Katsumi.

The fees in the amount of \$420 for excess claims fees (\$300) and the Petition for Extension of Time fee (\$120) are being paid concurrently herewith on the Electronic Filing System (EFS) by of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 02894-717US1.

Respectfully submitted,

Michael R. Hamlin Reg. No. 54,149

Date: Tuly 30, 2008

Fish & Richardson P.C. 225 Franklin Street

Boston, MA 02110 Telephone: (617) 542-5070 Facsimile: (877) 769-7945

21976845.doc